

FACSIMILE COVER SHEET

Date: December 18, 2002

To: Office of Petitions
Fax No: (703) 308-6916

From: Justin B. Rand
Tel. No: (312) 245-5394

Client No: 10541/279

No. of Pages
(inc. this page): 13

Confirmation Copy To Follow: Yes ☐ No ☒

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PLEASE CALL 312-321-4200 AND ASK FOR: Jean C. Powell, Ext. 306

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COVER MESSAGE:

**BRINKS
HOFFER
GILSON
& LIONE**

A Professional Corporation
Intellectual Property Attorneys

NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
Facsimile 312-321-4299
Telephone 312-321-4200

Indianapolis, IN
Detroit, MI
Toledo, OH
Arlington, VA

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DEC 18 2002

PETITIONS OFFICE

TRANSMITTAL LETTER			Case No. 10541/279
Serial No. 09/820,092	Filing Date March 28, 2001	Examiner Unassigned	Group Art Unit 1725
Inventor(s) Peter J. Sinkunas et al.			
Title of Invention FLEX TO FLEX SOLDERING BY DIODE LASER			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a); Copy of a Letter from Justin B. Rand to Jason Bullock dated October 25, 2001; and a Copy of the Decision on Petition.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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DEC 18 2002

PETITIONS OFFICE

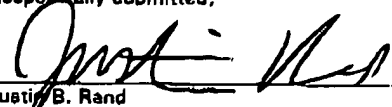
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x \$42 =	
+ \$140 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$84 =	
+ \$280 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Justin B. Rand
Registration No. 48,552
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I certify this correspondence and all attached documents are being faxed to the U.S. Patent and Trademark Office to Attn: Office of Petitions at Fax Number (703) 308-8916 on 12/18/02, 2002

Date: 12/18/02 Signature: 

Justin B. Rand, Reg. No. 48,552

I certify this correspondence and all attached documents are being faxed to the U.S. Patent and Trademark Office to Attn: Office of Petitions at Fax Number (703) 308-6918 on 12/18, 2002.

Date: 12/18/02 Signature: _____

Justin B. Rand, Reg. No. 48,552

Case No. 10541/279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter J. Sinkunas et al.

Serial No.: 09/820,092

Filed: March 28, 2001

**For: FLEX TO FLEX SOLDERING
BY DIODE LASER**

Examiner: Unassigned

Group Art Unit: 1725

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DEC 18 2002

PETITIONS OFFICE

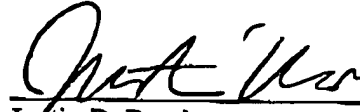
REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. §1.47(a)

Petitioner respectfully requests reconsideration of the petition under ¶(a) of 37 C.F.R. §1.47 filed October 16, 2001 and dismissed by the Office on November 27, 2002. The petition was dismissed due to lack of evidence showing that the application in its entirety was sent to the estate representative, Mr. Jason Bullock. A letter from Justin B. Rand to Jason Bullock dated October 25, 2001 evidences that the patent application was included along with the letter requesting that Mr. Bullock sign the relevant documents. This letter has been included with this Request. As required, Petitioner also states for the record that "16622 Appoline, Detroit, MI 48235" is the last known address for Mr. Jason Bullock.

Your petitioner further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: December 18, 2002

A handwritten signature in black ink, appearing to read "Justin B. Rand", written over a horizontal line.

Justin B. Rand
Registration No. 48,552

JUSTIN B. RAND
312-245-5394
jrand@brinkshofer.com

BRINKS
HOFFER
GILSON
& LIONE

October 25, 2001

Mr. Jason Bullock
16622 Appoline
Detroit, MI 48235

A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY ATTORNEYS

NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
www.brinkshofer.com
Fax 312-321-4299
Telephone 312-321-4200

Re: U.S. Patent Application: **FLEX TO FLEX SOLDERING
BY DIODE LASER**

U.S. Appl. Serial No.: 09/820,092

Attorney Docket No.: 10541/279

Visteon Case No.: V200-0303

FAX RECEIVED

DEC 18 2002

SAN JOSE, CA
INDIANAPOLIS, IN
ANN ARBOR, MI
ARLINGTON, VA

Dear Mr. Bullock:

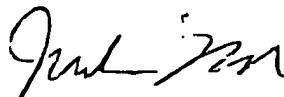
PETITIONS OFFICE

As we discussed on the phone, this letter is in regard to a patent application entitled "Flex to Flex Soldering by Diode Laser". Your father, Lawrence L. Bullock, was a co-inventor along with Peter J. Sinkunas and Zhong-You Shi. The application was filed with the U.S. Patent and Trademark Office on March 28, 2001.

As I explained on the phone, in order to properly assign the rights in the invention to your father's employer, Visteon Global Technologies, Inc., it is necessary for all of your father's heirs to sign certain forms. According to the information you gave me, you and your sister, Shona N. Davis, are your father's only remaining heirs.

I have included a copy of the patent application as filed, as well as the necessary documentation for you to sign. Please call me at 312-245-5394 when you receive this letter and I will explain exactly where I need you and your sister to sign, and how to go about returning the necessary documents to me. It will only take a few minutes to explain the process. Please do not take any action regarding these documents until you speak to me. Thank you.

Sincerely,



Justin B. Rand

JBR:jcp

Enclosures

cc: Steven Oberholtzer, Esq. (letter only)
Frank Lollo (letter only)

Attorney's D ck t No. 10541/279

For: ☒ U.S. and/or ☒ Foreign Rights
 For: ☒ U.S. Application or
 ☐ U.S. Provisional Application
 For: ☐ U.S. Patent
 For: ☐ PCT Application
 By: ☐ Administrator(trix) ☐ Executor(trix)
 ☒ Legal Representative(s)

**ASSIGNMENT OF INVENTION BY ADMINISTRATOR(TRIX),
EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

By administrator(trix), executor(trix) or legal
representative of inventor or person who owns the
invention

Jason D. Bullock, Shoria N. Bullock
(type or print name(s) of administrator(trix),
executor(trix) or legal representative(s))

Lawrence L. Bullock (Deceased)

Inventor or person on whose behalf above person(s) are signing

Jason D. Bullock, 19474 Rutherford, Detroit, Michigan 48235

Address(es) of person(s) signing

Shoria N. Bullock, 18140 Stout, Detroit, Michigan 48235

United States of America

Nationality(ies) of person(s) signing

*(If assignment is on behalf of person to whom invention was previously assigned
and this was recorded in PTO, add the following)*

Recorded on _____

Reel _____

Frame _____

hereby sells, assigns and transfers to

ASSIGNEE:

Visteon Global Technologies, Inc.
(type or print name of Assignee(s))

Parklane Towers East, One Parklane Boulevard
Address

Dearborn, Michigan 48126

United States
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

(Assignment of invention by Administrator(trix), Executor(trix) or Legal Representative(s) [16-3.1] page 1 of 3

☒ the entire right, title and interest
 ___ an undivided _____ percent (_____ %) interest for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☒ and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

FLEX TO FLEX SOLDERING BY DIODE LASER

Name of inventor(s) Peter J. Sinkunas, Zhong-You Shi and Lawrence L. Bullock (Deceased)

(check and complete (a), (b), (c), (d), (e), (f), or (g))

and which is found in

- (a) ___ U.S. patent application executed on even date herewith
 (b) ___ U.S. patent application executed on _____
 (c) ___ U.S. provisional application naming the above inventor(s) for the above-entitled invention

___ Express mail label no.: _____
 Mailed: _____

___ To comply with 37 C.F.R. 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.

- (d) ☒ U.S. application no. 09/820,092 filed on August 17, 2001
 (e) ___ International application no. PCT/ _____ / _____
 (f) ___ U.S. patent no. _____ is
 ___ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is(are) also being assigned)

(g) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

PROOF OF AUTHORITY to act on behalf of the deceased/incapacitated inventor is submitted herewith.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this _____ day of

Date of signing

WARNING: *The date of signing must be the same as the date of execution of the application, if item (a) was checked above.*

Date:

Jason D. Bullock

(Signature of administrator(trix), executor(trix), or legal representative(s))

Date:

Shona N. Bullock

(Signature of administrator(trix), executor(trix), or legal representative(s))

Date:

WITNESS

NOTE: *No witnessing, notarization or legalization is necessary, if the assignment is notarized or legalized, then it will only be prima facie evidence of execution 35 USC 261. Use next page if notarization is desired.*

X Notarization or Legalization Page Added.

(Assignment of invention by Administrator(trix), Executor(trix) or Legal Representative(s) [16-3.1] page 3 of 3

STATE OF _____)
)
COUNTRY OF _____)

I, _____, a Notary Public in and for the Country and State aforesaid, do hereby certify that Jason D. Bullock, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this ____ day of _____, 2001.

Notary Public

My Commission Expires: _____

STATE OF _____)
)
COUNTRY OF _____)

I, _____, a Notary Public in and for the Country and State aforesaid, do hereby certify that Shona N. Bullock, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this ____ day of _____, 2001.

Notary Public

My Commission Expires: _____

Attorney's D c k t N . 10541-279

**ATTESTATION ADMINISTRATOR(TRIX), EXECUTOR(TRIX)
OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED OR
INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43)**

I, Jason D. Bullock, Shona N. Bullock

(type or print name(s) of administrator(rix), executor(rix), legal representative or all heirs)

hereby declare that I am a citizen of USA

and that I am executing and signing the declaration to which this is attached as

(check one):

 the administrator(trix) of

_____, executor(trix) of the last will and testament of

X legal representative (or heirs) of

Lawrence L. Bullock (Deceased)

Full name of (first, second etc.) deceased or incapacitated inventor

USA

Country of citizenship of deceased or incapacitated inventor

9545 Faust #905, Detroit, Michigan 48228

Residence of deceased or incapacitated inventor

9545 Faust #905, Detroit, Michigan 48228

Post Office Address of deceased or Incapacitated Inventor

NOTE: The name of the first, second etc. deceased or incapacitated inventor should preferably also be filled in at the appropriate prior space of the declaration adding the words "deceased-completed on added page" or "incapacitated-completed on added page."

That, upon information and belief, I aver those facts that the inventor is required to state.

Date: _____

**Signature of administrator(trix), executor(trix)
legal representative (or all heirs)**

**Signature of administrator(trix), executor(trix)
legal representative (or all heirs)**

NOTE: *Proof of authority of the administrator(trix), executor(trix) or legal representative must be recorded in the PTO or filed in the application before the grant of the patent. 37 CFR 1.44.*

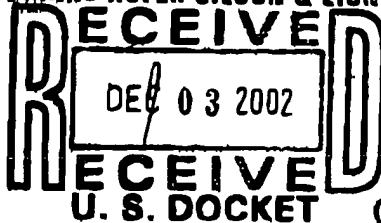
NOTE: Application may be made by the heirs of the inventor if a certificate of the court will establish that they are all the heirs and the estate was not required to appoint an administrator. If the heirs are signing add lines for all the heirs to sign. MPEP ' 409.01(a)

Added Page to Combined Declaration and Power of Attorney for Signing by Administrator(trix), Executor(trix) or Legal Representative on Behalf of Deceased or Incapacitated Inventor (37 CFR 1.42 and 1.43) (1-3))



UNITED STATES PATENT AND TRADEMARK OFFICE

BRINKS HOFER GILSON & LIONE


 COMMISSIONER FOR PATENT
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

JGH-11-02

Paper 8

 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO IL 60611

COPY MAILED

NOV 27 2002

OFFICE OF PETITIONS

In re Application of

Sinkunas, et al

Application No. 09/820,092

Filed: 28 March, 2001

Attorney Docket No. 10541/279

: DECISION ON PETITION

This is a decision on the petition under ¶(a) of 37 C.F.R. §1.47,¹ filed on 16 October, 2001, but not delivered to the Office of Petitions until this writing.

The Office regrets the delay in addressing this matter.

The petition is **DISMISSED**.²

NOTE: Any request for reconsideration of this decision must be submitted (with fee) within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. Any response (with fee) should be entitled "Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a)" and may include an oath or declaration executed by the inventor.

There will be no reconsideration thereafter. Failure to respond within the time set forth above will result in abandonment of the application.

¹ The regulations at 37 C.F.R. §1.47 provide:

§1.47 Filing when an inventor refuses to sign or cannot be reached.

(a) If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the nonsigning inventor. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, the fee set forth in §1.17(h), and the last known address of the nonsigning inventor. The nonsigning inventor may subsequently join in the application by filing an oath or declaration complying with §1.63.

(b) Whenever all of the inventors refuse to execute an application for patent, or cannot be found or reached after diligent effort, a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, may make application for patent on behalf of and as agent for all the inventors. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, the fee set forth in §1.17(h), and the last known address of all of the inventors. An inventor may subsequently join in the application by filing an oath or declaration complying with §1.63.

© The Office will send notice of the filing of the application to all inventors who have not joined in the application at the address(es) provided in the petition under this section, and publish notice of the filing of the application in the *Official Gazette*. The Office may dispense with this notice provision in a continuation or divisional application, if notice regarding the filing of the prior application was given to the nonsigning inventor(s). [47 Fed. Reg. 41275, Sept. 17, 1982, effective Oct. 1, 1982; 48 Fed. Reg. 2709, Jan. 20, 1983, effective Feb. 27, 1983; revised, 62 Fed. Reg. 53131, Oct. 10, 1997, effective Dec. 1, 1997; revised, 65 Fed. Reg. 54604, Sept. 8, 2000, effective Nov. 7, 2000]

² Pursuant to Petitioner's authorization the petition fee (\$130.00) and the proper extension of time fee due (\$400.00) are charged, and the improper extension of time fee (\$110.00) credited to Deposit Account 06-1500.

Application No. 09/820,092

2

BACKGROUND

The record indicates:

- the application was filed on 28 March, 2001, without, *inter alia*, a fully executed oath or declaration;
- in response to a 13 June, 2001, Notice to File Missing Parts, Petitioner filed (over a 12 October, 2001, certificate of mailing) on 16 October, 2001:
 - a request and fee for a one- (1-) month extension of time (and authorization for additional fees, necessary because it required a two- (2-) month extension of time to make timely the filing),
 - the instant petition and fee,
 - a statement in support, and
 - an oath/declaration signed by inventors, save the estate representative Jason Bullock (Mr. Bullock) of deceased co-inventor Lawrence L. Bullock (the deceased inventor) under the provisions of 37 C.F.R. §1.42³;
- the transmittal letter contained in the record does not evidence that a copy of the entire application (specification (description, claims, abstract) and drawings) were sent to non-signing co-inventors-representative Mr. Bullock;
- a call was made to the Counsel's office on 20 November, 2002, to review this matter with him and request the requisite evidence (i.e., transmittal letter) with such an explicit statement and evidence supporting the authority of Mr. Bullock to act in the representative capacity.

ANALYSIS

A copy of the entire application must be sent to the last known address of the non-signing inventor (or, as in this case, the estate representative) with a request that he/she sign the declaration for the patent application--and evidence of that transmittal submitted. (Additionally,

³ The regulations at 37 C.F.R. §1.42 provide:

§1.42 When the inventor is dead.

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent. Where the inventor dies during the time intervening between the filing of the application and the granting of a patent thereon, the letters patent may be issued to the legal representative upon proper intervention.
[48 Fed.Reg. 2709, Jan.20, 1983, effective Feb.27, 1983]

Application No. 09/820,092

3

Petitioner must state for the record that last known address. A forwarding address should be requested if the papers are returned, and other attempts to locate the inventor (e.g. through e-mail or the telephone) continue to fail, then applicant will have established that the inventor cannot be reached.)

Alternatively, an oath or declaration for the patent application in compliance with 37 C.F.R. §§1.63 and 1.64 must be presented.

The declaration must set forth the inventor's residence, citizenship and post office address. An oath or declaration in compliance with 37 C.F.R. §§1.63 and 1.64 signed by the Rule 1.47 applicant is required.⁴

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner of Patents and Trademarks
Box DAC
Washington, D.C. 20231

By FAX: (703) 308-6916
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-9199.



John J. Gillon, Jr.
Senior Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

⁴ See: MPEP 409.03(b).